

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY DIVISION

FIREFIGHTERS' RETIREMENT SYSTEM  
OF LOUISIANA,

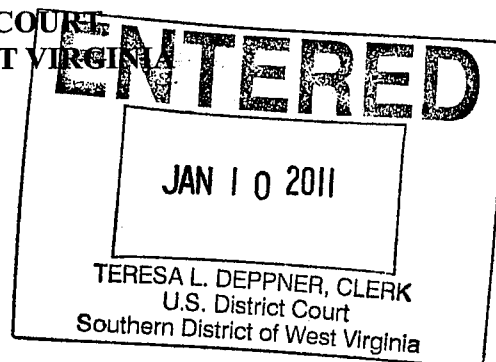
Plaintiff,

v.

CIVIL ACTION NO. 5:10-cv-00776

MASSEY ENERGY COMPANY, et al.,

Defendants.



ORDER

Pending before the Court is Movant Wayne County Employees' Retirement System's Motion for Consolidation, Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel and Liaison Counsel (Document No. 21). On July 15, 2010, Movant Wayne County Employees' Retirement System ("Wayne County") filed a Notice in which it "acknowledges that the Commonwealth of Massachusetts Pension Reserves Investment Trust ("Massachusetts") possesses the largest financial interest in the above captioned actions" and provided its "support[] [of] the motion of Massachusetts for its appointment as Lead Plaintiff in the Actions and for approval of its selection of counsel." (See Wayne County Employees' Retirement System's Notice of Support for the Appointment of the Commonwealth of Massachusetts Pension Reserves Investment Trust as Lead Plaintiff and For Approval of its Selection of Counsel (Document No. 41)).<sup>1</sup>


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<sup>1</sup> On July 15, 2010, Movant Wayne County filed its Notice with the Clerk's office for the above-styled case as well as for the *MaComb County Employees' Retirement System v. Massey Energy Company* (Civil Action No. 5:10- (continued...))

Upon consideration of the motion and notice, the Court does hereby **ORDER** that Movant Wayne County Employees' Retirement System's Motion for Consolidation, Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel and Liaison Counsel (Document No. 21) is **DENIED WITHOUT PREJUDICE**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: January 10, 2011

  
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IRENE C. BERGER, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

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<sup>1</sup>(...continued)

Cv-00689). However, the Notice was not filed in this case despite the Movant's inclusion of this case in the caption of its Notice. On this date, the Court directs the filing of the same in the above-styled case.